

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RAMONE GRIFFIN,)	
)	
Plaintiff,)	07 C 7069
)	
vs.)	Honorable Judge
)	Elaine Bucklo
SHERIFF TOM DART,)	
MEDICAL DIRECTOR TING)	
OFFICER KOZEL,)	
)	
Defendants.)	

DEFENDANTS' ANSWER TO PLAINTIFF'S COMPLAINT

Defendants, Tom Dart, Sheriff of Cook County and Dr. Ting of Cermak Health Services of Cook County, by their attorney Richard A. Devine, State's Attorney of Cook County and through his Assistant State's Attorney, Daniel J. Fahlgren, Answer Plaintiff's Complaint as follows:

**COUNT 1 8TH AMENDMENT CRUEL AND UNUSUAL PUNISHMENT
14TH AMENDMENT DUE PROCESS**

1. Beginning June 10, 2006, defendants began violating my rights and denying me medical attention.

ANSWER: Defendants deny the averments in this paragraph.

2. I started suffering from prior injuries, i.e. gunshot wounds which includes (rods and pins) in both of my legs which causes me extreme pain.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of the averments in this paragraph.

3. When I made a request to receive further medical attention at Cook County Jail it took 7 plus months for the defendants to at least call me to speak to me.

ANSWER: Defendants deny the averments in this paragraph.

4. But I got little help and many refusals.

ANSWER: Defendants deny the averments in this paragraph.

5. Plaintiff made numerous requests for help for follow-up medical attn.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of the averments in this paragraph.

6. Had Defendant answered his request, they would have noticed that my hip and femur on my right leg was healing back the wrong way (crooked and apart) which was later discovered by x-ray.

ANSWER: Defendants deny the averments in this paragraph.

7. Now due to the Defendants' intentionally refusing Plaintiff medical attn. Plaintiff's pain has increased.

ANSWER: Defendants deny the averments in this paragraph.

8. Defendants are sued in their individual and official capacities. Whereas defendants should have known that their actions could or would cause him irreparable injury.

ANSWER: Defendants deny the averments in this paragraph.

9. Defendants did so maliciously and intentionally for no penological purpose.

ANSWER: Defendants deny the averments in this paragraph.

10. As result of these violations Plaintiff suffers from sever pain in his back and legs, crooked bones and swelling constantly, severe depression, severe headaches and a bad limp when waking.

ANSWER: Defendants deny the averments in this paragraph.

11. NOTE: All defendants knew of Plaintiff medical problems

ANSWER: Defendants deny the averments in this paragraph.

COUNT 2

8th and 14th AMENDMENTS (CRUEL AND UNUSUAL PUNISHMENT& DUE PROCESS

12. On December 15, 2006, defendants Officer Kozel took Plaintiffs crutches from him for no reason except to cause him pain and suffering.

ANSWER: Defendants deny the averments in this paragraph.

13. Plaintiff spoke to defendant who told him to stop “bitching and bond out.”

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of the averments in this paragraph.

14. Then defendant laughed when defendant took Plaintiff’s crutches.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of the averments in this paragraph.

15. He began having trouble walking and having more pain and swelling.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of the averments in this paragraph.

16. Defendants action were a contributing factor in his new medical problem.

ANSWER: Defendants deny the averments in this paragraph.

17. Defendants are sued in their individual and capacities.

ANSWER: Defendants admit the averments in this paragraph.

18. Defendant knew or should have known that his actions could or would cause Plaintiff irreparable injury. And did so maliciously and with the intent to cause injury for no penological purpose.

ANSWER: Defendants deny the averments in this paragraph.

19. As a result Plaintiff suffers headaches, depression and bone deformity.

ANSWER: Defendants deny the averments in this paragraph.

COUNT 3

8th AMENDMENT CRUEL AND UNUSUAL PUNISHMENT

14th AMENDMENT DUE PROCESS

20. On or about 8-200__ I complained about my bleeding gums, tooth aches growing dental problems.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of the averments in this paragraph.

21. On or about the above date my gums started bleeding, as they do just about daily now, I was trying to brush my teeth here to maintain proper dental hygiene.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of the averments in this paragraph.

22. But the defendants stopped selling or providing toothbrushes that will reach my back teeth.

ANSWER: Defendants deny the averments in this paragraph.

23. The contraption I must use is 2 inches long and cannot reach the back of my mouth and since defendants won't let me get dental floss either I must have bad breath and dental problems.

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of the averments in this paragraph.

24. Plaintiff sent/ made out numerous grievances and requests to get help but was told that "y'all don't get dental or eye care anymore writes your governor"

ANSWER: Defendants are without sufficient information or knowledge to form a belief as to the truth of the averments in this paragraph.

25. Defendants are sued in their individual and official capacities.

ANSWER: Defendants admit the averments in this paragraph.

26. Defendants knew or should have known that their actions would cause Plaintiff irreparable injury and did so maliciously for no penological purpose.

ANSWER: Defendants deny the averments in this paragraph.

27. As a result of defendants' actions, Plaintiff suffers from gum infection, bleeding gums gingivitis, decaying teeth and severe depression.

ANSWER: Defendants deny the averments in this paragraph.

AFFIRMATIVE DEFENSES

Plaintiff, while an inmate, failed to exhaust his administrative remedies before filing this action. Therefore this action should be dismissed pursuant to the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a).

JURY DEMAND

Defendant demands trial by jury.

Respectfully submitted,

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